UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF INDIANA

-FILED-

DEC 05 2016

ROBERT N. TRGOVICH, Clerk
U.S. DISTRICT COURT
NORTHERN DISTRICT OF INDIANA

John Chmielewski *
*
Claimant *
*
v. *
*
TMS INTERNATIONAL, LLC *
*
Defendant * **CIVIL ACTION NO.: 3-16-cv-00421-JVB-JEM**

REQUEST FOR RULING

1. Comes now Claimant Pro Se and, again, moves this Honorable Court for a prompt ruling as requested in paragraphs 2 and 3 on page 19 of Claimant's original Claim.

2. In support whereof, Claimant pleads to this Court the following summary of reasoning in proof of his claim:

   a. First, and of primary importance, to prove Claimant's breach of contract claim, as stated in detail in both Claimant's original brief and in his PRIMARY RESPONSE TO DEFENDANT'S BRIEF IN SUPPORT OF ITS MOTION TO DISMISS PLAINTIFF'S COMPLAINT on pages 1-5 of said PRIMARY RESPONSE, Claimant noted both in general, and specifically, in paragraph 4 on pages 4 and 5 that neither the Defendant's or the IRS has any authority to interfere or change Claimant's sole authority to elect whatever he, and he alone, deemed appropriate to him on his W-4 Withholding Allowance Certificate.

   b. Never once in any of Defendant's pleadings throughout this suit has either Defendant or the IRS ever challenged or disputed Claimant's claim of his non-taxpayer legal status as respects income tax, such status having been confirmed by Article 1, Section 2, Clause 3 and Article 1, Section 9, clause 4 of the

Constitution and the statutory law as further affirmed in extensive detail by Claimant's seven-page AFFIDAVIT OF REVOCATION & RESISSION (Claimant's Exhibit "B" in his original Claim).

c. Defendant continuously and significantly refuses to even acknowledge the existence of Claimant's crucially important affidavit in any of his briefs in this case, despite its vitally important proof of Claimant's non-taxpayer legal status, which status is in full conformity with his election of EXEMPT on his W-4 Withholding Allowance Certificate.

d. Claimant's 19-page original Claim also proves, starting at page 5, paragraph 2, the statutory inapplicability of all withholding of income taxes for all employees such as, and including Claimant, who are resident/domiciled in any one of the fifty states of our constitutional republic and are thereby constitutionally protected against any unapportioned direct taxation or mandatory withholding of tax.

e. In every responsive brief, Defendant has continued to incorrectly, but persistently, plead a presumptive, but incorrect, legal status of "taxpayer" applicable to Claimant, totally ignoring the fact that such status has been proven to be inapplicable to Claimant throughout both his original Claim and his Primary Response noted in #2(a) above.

CONCLUSION

For all these enumerated reasons, Claimant again pleads for a ruling of this Honorable Court in his favor as previously requested.

Respectfully submitted,

John Chmielewski

John Chmielewski
Claimant Pro Se
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Without Prejudice
UCC 1-308

NOTICE OF SERVICE

I HEREBY CERTIFY that on this 2 st. day of December, **2016**, a copy of the foregoing pleading was mailed certified mail, postage prepaid, to:

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